IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1008 OF 2004

IN
SUIT NO. 2135 OF 2002

Sandeep G. Raheja .. Plaintiff
V/s.
Chandru L. Raheja & Ors. .. Defendants
AND
Aman Spices Pvt. Ltd. .. Respondent

Mr. Janak Dwarkadas with P.K. Samdani i/b. K.D. Abichandani for Petitioner/in support of Chamber Summons.

Mr. S.G. Anne with Mr. H.N. Thakore i/b. Thakore Jariwala & Associates for the Defendants.

Mr. Shyam Diwan i/b. Wadia Gandhy & Co. for the Respondents.

Mr. Shyam Parmani for Defendant nos. 3 and 4.

CORAM: S.J. VAZIFDAR, J.

DATE : 29 OCTOBER, 2004.

P.C. :

1. It is agreed between the parties that the

Chamber Summons be allowed in terms of prayers (a) and (b) subject to the rights of all the parties to agitate at any stage of the proceedings the point of misjoinder qua the Respondent. This order is without prejudice to the pending proceedings and the pending inter-locutory order. The order dated 19th July, 2004 shall continue till 6th December, 2004.

2. It is clarified that the merits of the contentions have been neither been urged nor considered. The amendments to be carried out within two weeks from today. All parties waive service of the writ of summons of the plaint as well as the amended plaint.

SD/-

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